

# **EXHIBIT 1**

Nassau County



Police Department

THOMAS R. SUOZZI  
COUNTY EXECUTIVE

1490 Franklin Avenue  
Mineola, New York 11501  
(516) 573-7000

LAWRENCE W. MULVEY  
COMMISSIONER

September 27, 2007

Joseph A. Palmese  
Resident Agent in Charge  
Office of Investigations  
Immigration and Customs Enforcement  
3900 Veterans Memorial Highway  
Suite 200  
Bohemia, New York 11716

Dear RAC Palmese:

During our conversation earlier this afternoon I expressed my displeasure with the operations conducted on Monday, September 24<sup>th</sup> and Wednesday, September 26<sup>th</sup> in various communities within Nassau County. As I told you, this department was led to believe your agency would be effecting arrest warrants on gang members and you were seeking our assistance in the form of transportation (bus) and a uniform presence in the event that there were local charges to be processed.

On Thursday, September 20<sup>th</sup> we were assured by team leader Dennis Baggia that he would e-mail us a list of the targets. This was not done.

On Friday, September 21<sup>st</sup> SAC Jeff Knopf advised that he would e-mail us the list of targets and indicated that he would be present for a pre-operation briefing on Monday morning before the operation. The e-mail was never sent and Knopf did not attend the briefing.

The operation on Monday lacked current intel. My members report that your addresses were in many cases wrong and your pictures were outdated. In one case you were looking for a subject born in 1979 and had a picture of him when he was 7 years old.

900 P. 006

Joseph A. Palamese  
Resident Agent in Charge  
Office of Investigations

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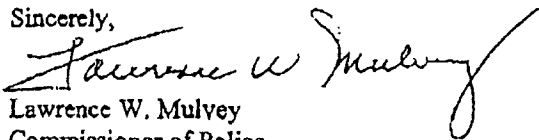
September 27, 2007

Tactically, the operation was structured poorly. You had border patrol personnel from different parts of the country that clearly do not train together. They were armed with a mix of tactical weapons including shotguns and MP-5's. There was no consistency in uniforms and in fact some members wore cowboy hats, and in the view of some of my members, displayed a "cowboy" mentality. This in my view, posed unnecessary danger to all parties including my members, who in fact were drawn upon by some of the agents present.

Despite repeated requests for a list of who you picked up on Monday, we did not receive any information until 12:30 today. This made it extremely difficult to resolve issues such as missing person reports etc. According to our records, of the 40 people picked up on Monday, only 3 were affiliated actively with gangs in Nassau County and most of those picked up were not the targets of warrants, but were in fact people you determined to be undocumented.

I would like to reiterate my position as stated in my earlier phone call that the Nassau County Police Department will be unable to render your agency any assistance in your planned operations for [REDACTED] and [REDACTED] and any future assistance will be contingent on rectifying the aforementioned delineated problems.

Sincerely,

  
Lawrence W. Mulvey  
Commissioner of Police

cc: Bill Cunningham  
Counsel to the County Executive

cc: Timothy Driscoll  
Deputy County Executive  
Law Enforcement & Public Safety

900 P. 006

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## **EXHIBIT 2**

THOMAS R. SUOZZI  
COUNTY EXECUTIVE



OFFICE OF THE COUNTY EXECUTIVE  
ONE WEST STREET  
MINEOLA, N.Y. 11501-4895  
516-571-3131

October 2, 2007

Michael Chertoff  
Secretary of the Department of Homeland Security  
Department of Homeland Security  
Washington, D.C. 20536

Dear Mr. Chertoff:

I bring to your attention serious allegations of misconduct and malfeasance committed by Immigration and Customs Enforcement personnel in executing arrest warrants in various Nassau County communities on September 24 and 26, 2007. I ask that you investigate the allegations and advise me of your written findings.

The immigration laws of the United States should be enforced and I fully support the execution of lawfully issued arrest warrants in Nassau County, particularly for known gang members. I condemn, however, any tactical actions which cross the lines of legality and law enforcement best practices.

In order to facilitate an appropriate inquiry, enclosed is a copy of Nassau County Police Commissioner Lawrence W. Mulvey's September 27, 2007 letter to Joseph A. Palmese, the Resident Agent in Charge of the Immigration and Customs Enforcement ("I.C.E.") office located in Bohemia, New York. A portion of the letter has been redacted so as not to interfere with planned I.C.E. operations. Commissioner Mulvey's letter raises important issues as to how I.C.E. personnel, in the presence of Nassau County police officers, conducted themselves, including these observations:

- "The operation on Monday lacked current intel." I.C.E. officials failed on three occasions to check the names and addresses of their arrest targets against the Nassau County Police Department's Gang Intelligence Files. The result was that many wrong residential addresses were raided and in one instance I.C.E. sought a 28 year old defendant using a photograph taken when he was a 7 year old boy. Of the reported 82 Nassau County arrests, our police records indicate that 8 are active gang members and 1 is a gang associate.
- "Tactically the operation was structured poorly." The federal operation utilized border patrol personnel from around the country who had not trained together for this complex mission. "[S]ome [I.C.E.] members wore cowboy hats and in the view of some of my members displayed a 'cowboy' mentality. This, in my view,

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posed unnecessary danger to all parties, including my members, who in fact were drawn upon by some of the agents."

I know you agree that these are serious allegations and deserve a serious and prompt response.

Thank you

Very truly yours,

Tom

Thomas R. Suozzi  
County Executive

Cc: Julie Meyers, Assistant Secretary for I.C.E.  
Roslynn Maskopf, United States Attorney for the Eastern District  
Kathleen Rice, Nassau County District Attorney